

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	CRIMINAL ACTION NO.
v.)	2:25cr111-MHT
)	(WO)
LOVORIS DEON JACKSON)	

ORDER

This cause is before the court on the unopposed motion to continue trial filed by defendant Lovoris Deon Jackson. For the reasons set forth below, the court finds that jury selection and trial, now set for October 27, 2025, should be continued pursuant to 18 U.S.C. §§ 3161(h)(7)(A).

While the granting of a continuance is left to the sound discretion of the trial judge, *see United States v. Stitzer*, 785 F.2d 1506, 1516 (11th Cir. 1986), the court is limited by the requirements of the Speedy Trial Act, 18 U.S.C. § 3161. The Act provides in part:

"In any case in which a plea of not guilty is entered, the trial of a defendant charged in an information or indictment with the commission

of an offense shall commence within seventy days from the filing date (and making public) of the information or indictment, or from the date the defendant has appeared before a judicial officer of the court in which such charge is pending, whichever date last occurs."

§ 3161(c)(1). The Act excludes from the 70-day period any period of delay stemming from a continuance based on "findings that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial." § 3161(h)(7)(A). In granting a continuance under subsection (h)(7)(A), the court may consider, among other factors, whether the failure to grant the continuance "would be likely to ... result in a miscarriage of justice," § 3161(h)(7)(B)(i), or "would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence," § 3161(h)(7)(B)(iv).

The court concludes that, in this case, the ends of justice served by granting a continuance outweigh the

interest of the public and Jackson in a speedy trial. On July 23, 2025, Jackson's attorney filed a motion to suppress, which is still pending before this court. On September 15, the United States Magistrate Judge entered a report and recommendation regarding Jackson's motion to suppress. On September 26, Jackson's attorney filed objections to the magistrate judge's report and recommendation. The court requires further time to review these filings and issue a decision on suppression. It would be unfair to force the parties to prepare for trial or decide whether to enter a plea without knowing of the court's decision. As a result, the parties will need additional time to review the court's decision on the motion to suppress, decide how to proceed in light of the decision, and effectively prepare for trial. Given these circumstances, a continuance is in the interest of justice. The government does not oppose this motion.

Accordingly, it is ORDERED as follows:

(1) The unopposed motion to continue (Doc. 49) is granted.

(2) The jury selection and trial, now set for October 27, 2025, at 10:00 AM, are continued to November 17, 2025. The proceedings will be held in Courtroom 2FMJ of the Frank M. Johnson Jr. United States Courthouse Complex, One Church Street, Montgomery, Alabama.

The United States Magistrate Judge shall reset the deadline for changes of plea and other pretrial deadlines if appropriate.

DONE, this the 29th day of September, 2025.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE